

UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA

In re: Kia Engine Litigation

Case No.: 8:17-cv-00838-JLS-JDE

**DECLARATION OF MATTHEW D.
SCHELKOPF**

I, Matthew D. Schelkopf, under penalty of perjury, declare as follows:

1. I am a partner at the law firm of Sauder Schelkopf LLC in Berwyn, Pennsylvania. I am one of the counsel of record in the above-captioned matter and thus the following facts are within my personal knowledge or are based on records and files at my law firm, and, if called upon as a witness, I could and would testify competently thereto.

2. I submit this Declaration in support of Plaintiffs' Unopposed Motion for Appointment of Interim Class Counsel.

A. Background Information about myself and my Firm.

1. I am admitted to practice before the Supreme Courts of Pennsylvania and New Jersey, the Third Circuit Court of Appeals, the Eastern District of Pennsylvania and the District of New Jersey, and I am admitted *pro hac vice* in this matter. I am in good standing in every court before which I am admitted to practice, and have never been subject to any disciplinary proceedings in any court.

2. My entire practice is devoted to litigation with a focus on prosecuting class actions involving automotive defects, consumer protection, other defective products and false advertising.

3. Prior to founding Sauder Schelkopf, I was a partner at McCune Wright Arevalo and, prior to that, a partner at Chimicles & Tikellis. From 2002 to

1 2004, I was a prosecutor in the District Attorney's Office of York County, where I
2 litigated 27 jury trials and over 50 bench trials.

3 4. I received my Bachelor of Arts degree from Pennsylvania State
4 University in 1999. I graduated from Widener University School of Law in 2002,
5 where I was a member of the *Moot Court Honor Society* and *Trial Advocacy*
6 *Honor Society* and was one of five students inducted into the National Order of
7 Barristers in 2002. I received my LL.M in taxation from Villanova University
8 School of Law in 2008.

9 5. In 2012, American Lawyer Media, publisher of *The Legal Intelligencer*
10 and the *Pennsylvania Law Weekly*, named me as one of the "Lawyers on the Fast
11 Track," a distinction that recognized 35 Pennsylvania attorneys under the age of 40
12 who show outstanding promise in the legal profession and make significant
13 contributions to his or her community.

14 6. In 2010, 2011, 2012, 2013, 2014, 2015 and 2016 Law & Politics and
15 the publishers of Philadelphia Magazine named me a Pennsylvania Super Lawyer
16 *Rising Star*. *Rising Stars* are the top 2.5 percent of attorneys in Pennsylvania, as
17 chosen by their peers and through the independent research of Law & Politics.

18 7. In 2012, 2013, 2014, 2015 and 2016 the National Trial Lawyers
19 Association named me one of the Top 40 trial lawyers under the age of 40 in
20 Pennsylvania.

21 **Relevant Automotive Experience**

22 8. *Tolmasoff v. General Motors, LLC*, No. 2:16-cv-11747 (E.D. Mich.).
23 My Partner and I served as class counsel in a case involving a claim of overstated
24 miles-per-gallon in GM vehicles. The Honorable George Caram Steeh granted final
25 approval to a settlement related to claims of overstated miles-per-gallon in certain
26 GM vehicles on November 6, 2017.

1 9. *Davitt v. Honda North America, Inc.*, No. 2:13-cv-00381-MCA-JBC
2 (D.N.J.). My Partner and I served as class counsel in this class action lawsuit on
3 behalf of current and former owners and lessees of certain Honda CR-V vehicles
4 containing alleged defective door lock actuators. The Honorable Madeline Arleo
5 granted final approval of the settlement on May 8, 2015.

6 10. *Henderson v. Volvo Cars of North America, LLC*, No. 2:09-cv-04146-
7 CCC-JAD (D.N.J.). My Partner and I served as a lead counsel in this class action
8 lawsuit on behalf of current and former owners and lessees of Volvo vehicles related
9 to an alleged transmission defect in model years (“MY”) 2003-2005 XC90 Turbo 6-
10 cylinder SUVs. Final approval was granted to a settlement that conferred a
11 substantial benefit on over 90,000 class members.

12 11. *Lax v. Toyota Motor Corporation*, No. 14-cv-01490-WHO (N.D. Cal.).
13 My Partner and I served as sole lead counsel in this class action lawsuit on behalf of
14 current and former owners and lessees of Toyota vehicles related to an alleged design
15 defect regarding the vehicles’ piston rings causing an excessive amount of engine oil
16 consumption.

17 12. *Mendoza v. Hyundai Motor Company, LTD.*, No. 5:15-cv-01685-BLF
18 (N.D. Cal.). My Partner and I are court appointed interim co-lead counsel in this
19 class action lawsuit on behalf of current and former owners and lessees of Hyundai
20 vehicles. The Honorable Beth Labson Freeman granted final approval to the
21 settlement on January 31, 2017.

22 13. *Neale v. Volvo Cars of North America, LLC, et al.*, No. 2:10-cv-04407-
23 DMC-MF (D.N.J.). My Partner and I served as co-lead counsel on behalf of current
24 and former owners and lessees of Volvo vehicles related to an alleged design defect
25 in the sunroof drainage systems of the S40, S60, S80, V50, V70, and XC90 vehicles.

26 14. *Whalen v. Ford Motor Company*, No. 3:13-cv-03072-EMC (N.D. Cal.).
27 My Partner and I served as a co-lead counsel in this class action lawsuit on behalf of
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1 current and former owners and lessees of Ford and Lincoln vehicles related to an
2 alleged design defect in which the Sync®, MyFordTouch® and MyLincolnTouch®
3 systems fail to operate as designed.

4 15. *Yaeger v. Subaru of America, Inc.*, No. 1:14-cv-04490-JBS-KMW
5 (D.N.J.). I am court appointed interim co-lead counsel in this class action lawsuit
6 on behalf of current and former owners and lessees of Subaru vehicles related to an
7 alleged design defect resulting in excessive consumption of engine oil. The
8 Honorable Jerome B. Simandle granted final approval to the settlement on August
9 31, 2016.

10 16. Attached to this Declaration as Exhibit A is a true and correct copy of
11 our firm resume.

12 I declare under penalty of perjury pursuant to 28 U.S.C. § 1746 that the
13 foregoing is true and correct.

14
15 Dated: April 17, 2018

/s/ Matthew D. Schelkopf
Matthew D. Schelkopf